

RECEIVED
CENTRAL FAX CENTER

APR - 5 2004

OFFICIAL

Telephone
(330) 877-0700

Faxsimile
(330) 877-2030

MARTIN & FERRARO, LLP
1557 Lake O'Pines Street, NE
Hartville, Ohio 44632

FACSIMILE TRANSMITTAL**TO:****Name:****Firm:** U.S. Patent & Trademark Office**Fax No.:** 703-872-9302**Subject:** U.S. Patent Application No. 09/768,991

Gary K. Michelson, M.D.

Filed: January 23, 2001

INTERBODY SPINAL IMPLANT WITH
TRAILING END ADAPTED TO RECEIVE
BONE SCREWS (as amended)

Attorney Docket No. 101.0101-00000

Customer No. 22882

Confirmation No. 4198

FROM:**Name:** Thomas H. Martin, Esq.**Phone No.:** 330-877-2277**No. of Pages (including this):** 35**Date:** April 5, 2004**Confirmation Copy to Follow:** NO**Message:****CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Transmittal Form (in duplicate; \$1,058.00 total fee for \$950 three-month extension fee and \$108 additional claims fee charged to Deposit Account No. 50-1066) and Amendment are being facsimile transmitted to the U.S. Patent and Trademark Office on April 5, 2004.



Sandra L. Blackmon

If there is a problem with this transmission please call Sandy Blackmon at 330-877-1202 or the sender at the number above.

The information contained in this facsimile message is privileged and confidential information intended only for the use of the addressee listed above. If you are not the intended recipient or the employee or agent responsible to deliver this message to the intended recipient, please do not use this transmission in any way, but contact the sender by telephone.

FORM PTO-1083

Attorney Docket No.: 101.0101-00000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary K. Michelson, M.D.

Serial No: 09/768,991

Filed: January 23, 2001

For: INTERBODY SPINAL IMPLANT WITH
TRAILING END ADAPTED TO RECEIVE
BONE SCREWS (as amended)

Confirmation No.: 4198

Art Unit: 3732

Examiner: P. Philogene

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a reply to the Office Action dated October 3, 2003 in the above-identified application.

No additional fee is required.

Applicant hereby requests a three-month extension of time to respond to the above office action.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE		ADD'L FEE DUE
TOTAL CLAIMS FEE	200	-	194	**	6	LG=\$18 SM=\$9	\$ 108.00
INDEPENDENT CLAIMS FEE	6	-	6	***	0	LG=\$86 SM=\$43	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$280 SMALL ENTITY FEE = \$145		\$ 0
					TOTAL		\$ 108.00

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

A total fee in the amount of \$1,058.00 (to cover the \$950 three-month extension fee and \$108 additional claims fee) is to be charged to Deposit Account No. 50-1066.

The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1066. A copy of this sheet is enclosed.

Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims

Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,
MARTIN & FERRARO, LLPBy: 
Thomas H. Martin
Registration No. 34,383

Date: May 15, 2002

1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: 330-877-0700
Facsimile: 330-877-2030